

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: STACIE LEIGH MONROE,	{ CHAPTER 13
	{
DEBTOR(S)	{ CASE NO. A19-70718-SMS
	{ JUDGE SIGLER

OBJECTION TO CONFIRMATION

COMES NOW MARY IDA TOWNSON, TRUSTEE herein, and objects to Confirmation of the plan for the following reasons:

1. The Debtor(s)' payments under the proposed plan are not current.
2. As unsecured creditors may receive less than in a Chapter 7 liquidation, the plan may not conform to 11 U.S.C. Section 1325(a)(4).
3. The proposed plan fails to provide for the treatment of the secured portion for the claims filed by the Georgia Department of Revenue and the Internal Revenue Service.
4. Pursuant to information received from the Internal Revenue Service, 2018 and 2019 tax returns have not been provided to the taxing authorities; thereby, preventing the Chapter 13 Trustee from evaluating the feasibility of the Chapter 13 plan, in violation of 11 U.S.C. Sections 1322(d) and 1325(a)(6).
5. The Chapter 13 budget fails to provide for the monthly expense of post-petition income tax liability on self-employment income of \$2,650.00 per month, and tax escrow slips have not been submitted; thereby, indicating that the proposed budget and Plan are infeasible, 11 U.S.C. Section 1325(a)(6).
6. The Chapter 13 Plan is not feasible as the sum of the equal monthly payments to creditors is greater than the monthly plan payment, in violation of 11 U.S.C. Section 1325(a)(6).

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7. After review of scheduled income and anticipated household expenses, Debtor(s)' proposed budget may fail to provide sufficient funds for ordinary living expenses, in possible violation of 11 U.S.C. Section 1325(a)(6).

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Confirmation of this Debtor's (s') Plan and to dismiss the case; or, in the alternative, convert the case to one under Chapter 7.

/s/
Brandi L. Kirkland, Attorney
for Chapter 13 Trustee
GA Bar No. 423627

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CERTIFICATE OF SERVICE

This is to certify that on this day I caused a copy of the foregoing pleading to be served via United States First Class Mail, with adequate postage thereon, on the following parties at the address shown for each:

DEBTOR(S) :

STACIE LEIGH MONROE
3204 ROCKBRIDGE ROAD
AVONDALE ESTATES, GA 30002

I further certify that I have on this day electronically filed the pleading using the Bankruptcy Court's Electronic Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

DEIGHAN LAW, LLC

This 11th day of February 2020

/s/

Brandi L. Kirkland, Attorney
for Chapter 13 Trustee
GA Bar No. 423627

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